

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jerry C. Mitchell,

Plaintiff(s)

vs.

Simon Leis, Hamilton County Sheriff,

Defendant(s)

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Case Number: 1:01-cv-00681

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . that the Court ADOPTS the Magistrate Judge's Report and Recommendation (doc. 7), AFFIRMS the Magistrate Judge's recommended decision, and DENIES Petitioner's Petition for Writ of Habeas Corpus with prejudice. The Court further declines to issue a certificate of appealability. Finally, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this Order would not be taken in good faith, and therefore DENIES Petitioner leave to appeal in forma pauperis.

01/27/04

James Bonini, Clerk

s/Kevin Moser

Kevin Moser

Deputy Clerk